GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

EFS&T Department - Diversion of 10.64 Ha of forest land in Compt. No.381, Motupalli beat, Kadavakuduru RF, Giddalur Division for Rehabilitation and Up-gradation of Eeppurpalem – Ongole Section from Km 195 + 000 to Km 254 + 500 of NH-214 A (New NH-216) to two lanes with paved shoulders under NHDP-IV on EPC basis, in favour of Project Director, Project Implementation Unit (PIU), Machilipatnam – Final (Stage-II) approval accorded.

ENVIRONEMNT, FORESTS, SCIENCE & TECHNOLOGY (Section-II) DEPARTMENT

G.O.Ms.No.50 **Dated.08.08.2022**

Read the following:-

1)From PCCF & HoFF, Lr.No.15348/2016/FCA-3, dt.11.12.2017.
2)State Govt.Lr.No5412/Section.II/2017, EFS&T(Sec.II) Dept., dt.26.12.2017.
3)From GoI, MoEF&CC, Regional Office, Chennai, Lr.No.4-APC053/2017-CHN/0138, dt.29.01.2018.
4)From the PCCF & HoFF, Lr.Rc.No.15348/2016/FCA-3, dt:05.06.2022.
5)State Govt.Lr.No.5412/Sec.II/2017/331281, EFS&T(Sec.II) Dept., dt.01.07.2022.
6)From GoI, MoEF&CC, IRO, Vijayawada, Lr.F.No.4-APC053/2017-CHN/464, Dt.15.07.2022.

*****

ORDER:

In the letter first read above, the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, has submitted a proposal under Section 2 of Forest (Conservation) Act, 1980, for diversion of 10.64 Ha of forest land in Compt. No.381, Motupalli beat, Kadavakuduru RF, Giddalur Division for Rehabilitation and Up-gradation of Eeppurpalem – Ongole Section from Km 195 + 000 to Km 254 + 500 of NH-214 A (New NH-216) to two lanes with paved shoulders under NHDP-IV on EPC basis, in favour of Project Director, Project Implementation Unit (PIU), Machilipatnam and requested to forward the proposal to Government of India, Ministry of Environment, Forests & Climate Change, Regional Office, Chennai for its consideration of the proposal.

2. In the letter 2nd read above, the proposal of the Principal Chief Conservator of Forests & Head of Forest Force, was sent to Government of India, Ministry of Environment & Forests, Regional Office, Chennai, for its approval under Section-2 of Forest (Conservation) Act, 1980.

3. In the letter 3rd read above, the Government of India, Ministry of Environment & Forests, Regional Office, Chennai, have accorded in-principle (Stage-I) approval under Section-2 of Forest (Conservation) Act, 1980, for the proposal, subject to compliance of certain conditions stipulated therein.

4. In the letter 4th read above, the Principal Chief Conservator of Forests & Head of Forest Force, has furnished the compliance report on the Stage-I conditions and requested to consider the same and forward to Government of India, Ministry of Environment, Forests & Climate Change, Integrated Regional Office, Vijayawada to accord Stage-II approval for the proposal. Accordingly, State Government forwarded the compliance report to the Government of India, Ministry of Environment, Forests & Climate Change, Integrated Regional Office, Vijayawada and requested to accord Final(Stage-II) approval for the proposal vide letter in the 5th read above.

5. In the letter 6th read above, the Government of India, Ministry of Environment, Forests & Climate Change, Integrated Regional Office, Vijayawada, have accorded (Stage-II) approval under Section-2 of Forest (Conservation) Act, 1980, for diversion of 10.64 Ha of forest land in Compt. No.381, Motupalli beat, Kadavakuduru RF, Giddalur Division for Rehabilitation and Up-gradation of Eeppurpalem – Ongole Section from Km 195 + 000 to Km 254 + 500 of NH-214 A (New NH-216) to two lanes with paved shoulders under NHDP-IV on EPC basis, in favour of Project Director, Project Implementation Unit (PIU), Machilipatnam, subject to certain conditions stipulated therein.

(Contd.P.-2)

6. After careful examination of the proposal, the Government hereby accord permission to the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, for diversion of 10.64 Ha of forest land in Compt. No.381, Motupalli beat, Kadavakuduru RF, Giddalur Division for Rehabilitation and Up-gradation of Eeppurpalem – Ongole Section from Km 195 + 000 to Km 254 + 500 of NH-214 A (New NH-216) to two lanes with paved shoulders under NHDP-IV on EPC basis, in favour of Project Director, Project Implementation Unit (PIU), Machilipatnam, subject to the following conditions:-

i. Legal status of the diverted forest area shall remain unchanged;

ii. The Compensatory Afforestation (CA) shall be raised and maintained by the State Forest Department over an extent of 21.28 ha of degraded forest land identified in Compt No.375 of Ongole Range, Vetapalem Section, Kukatlapalli Beat, Nagarajupalli block from the amount already been realized from the User Agency;

iii. The PCCF and Nodal Officer (FCA) of the State of Andhra Pradesh shall instruct all the field level Officers to implement the CA scheme in its entirety and no CA amount should be left unspent;

iv. Identified CA land shall not be changed without the prior approval of the Central Government;

v. Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from User Agency;

vi. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;

vii. No labour camp shall be established inside the forest area and the dugout material / overburden shall be dumped outside the forest area;

viii. No storage of any material shall be done in the forest area proposed for diversion;

ix. The user agency shall dig trenches on either side of the road in order to avoid any further encroachments on the road side;

x. The User Agency shall obtain the Environment Clearance as per the Environment (Protection) Act 1986, if applicable to the such road projects;

xi. The UA shall construct retaining walls and check walls wherever required by consulting the DFO concerned at the project cost;

xii. The construction of culverts/bridges, if any, over the natural streams/rivers/canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water-logging, and also does not hamper movement of wild animals;

xiii. Trees/Bushes standing in the diverted area shall be felled / cleared strictly as per requirement with prior permission of the Divisional Forest Officer concerned;

xiv. The State Forest Department shall raise avenue plantation and its maintenance all along the roadside as per the plantation scheme submitted along with the proposal from the amount already been realized from the User Agency;

xv. Roadside cuttings and fillings which require engineering support shall be provided as per the instructions of the DFO so as to stabilize the soil;

xvi. The State Forest Department shall translocate the trees, wherever feasible instead of felling, at the cost of user agency;

(Contd.P.-3)

xvii. The total forest area utilized for the project shall not exceed 10.64 ha and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal;

xviii. The forest land proposed for diversion shall under no circumstances be transferred or sublet to any other agency, department or person without prior approval of the Central Government:

xix. User agency and the State Forest Department shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

xx. Any other conditions that the Central Government or Regional Officer (Central) of Integrated Regional Office, Vijayawada may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the User Agency;

xxi. The Progress of the Compensatory Afforestation as mentioned by the DFO, Giddalur Division in SI No 12 (v) (a) & (b) of part II i.e 506.062 ha of forest land and 2296.3495 ha of non forest land shall be monitored by the Circle Head and a copy of such monitoring report shall be forwarded to the Integrated Regional Office to upload the same in the web portal.

xxii. The user agency shall submit the annual self-compliance report in respect of the above conditions to the State Forest Department and to the Integrated Regional Office, Vijayawada regularly.

xxiii. In the event of failure to comply with any of the above conditions the User Agency is liable for penal action as per the provisions under rules / guidelines issued under FCA, 1980;

7. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)
NEERABH KUMAR PRASAD
SPCIAL CHIEF SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests & Head of Forest Force,
Andhra Pradesh, Guntur.

Copy to:

The Additional Principal Chief Conservator of Forests (Central)
Government of India, Ministry of Environment & Forests,
Regional Office, 1st and 2nd Floors,
Handloom Export promotion Council Building
34, Cathedral Garden Road, Nungambakkam, Chennai – 600034.

The Inspector General of Forests (Central)
Government of India,
Ministry of Environment, Forests & Climate Change
Integrated Regional Office, Vijayawada,
Green House Complex, Gopal Reddy Road,
Vijayawada-520010

The Project Director, PIU, Ministry of Road Transport & Highways,
D.No.16-355/B, Opp.Ratnam High School, Machilipatnam.

SF/SC (Computer No.331281)

// FORWARDED :: BY ORDER //

SECTION OFFICER